

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE ABILITY INC.  
SECURITIES LITIGATION

CASE NO. 1:16-cv-03893 (VM)

**NOTICE OF LEAD PLAINTIFFS' UNOPPOSED MOTION FOR (I) PRELIMINARY  
APPROVAL OF SETTLEMENT, (II) CERTIFICATION OF THE SETTLEMENT  
CLASS, AND (III) APPROVAL OF NOTICE TO THE SETTLEMENT CLASS**

PLEASE TAKE NOTICE that upon the Stipulation and Agreement of Settlement dated April 25, 2018 (the "Stipulation"), filed concurrently herewith; the accompanying memorandum of law; and all other papers and proceedings herein, Lead Plaintiffs Ametren L.P. and Theodore Zwicker (collectively "Plaintiffs") hereby move this Court, under Rule 23 of the Federal Rules of Civil Procedure, for entry of an order: (i) preliminarily approving the proposed Settlement; (ii) certifying the proposed Settlement Class, certifying Plaintiffs as class representatives, and appointing Co-Lead Counsel as class counsel for purposes of the Settlement; (iii) approving the form and manner of giving notice of the proposed Settlement to Settlement Class Members; and (iv) scheduling a hearing to consider final approval of the Settlement and approval of the Plan of Allocation and Co-Lead Counsel's motion for an award of attorneys' fees and reimbursement of litigation expenses.<sup>1</sup> Attached to the Stipulation as Exhibit A is the Parties' agreed-upon proposed Order Preliminarily Approving Settlement and Providing for Notice and its exhibits.

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<sup>1</sup> All capitalized terms used herein that are not otherwise defined herein have the meanings ascribed to them in the Stipulation.

Dated: April 25, 2018

Respectfully submitted,

**COHEN MILSTEIN SELLERS & TOLL  
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Counsel for the Settlement Class*

**PROOF OF SERVICE**

I, the undersigned say:

I am not a party to the above case and am over eighteen years old.

On April 25, 2018, I served true and correct copies of the foregoing document, by posting the document electronically to the ECF website of the United States District Court for the Southern District of New York, for receipt electronically by the parties listed on the Court's Service List.

I affirm under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 25, 2018.

*s/ Kara M. Wolke*  
Kara M. Wolke

## Mailing Information for a Case 1:16-cv-03893-VM In re Ability, Inc. Securities Litigation

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)